

MATP-617US

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

Remarks/Arguments:

Claims 1-6, and 8-21 are pending in the above-identified application. Claim 7 is canceled.

Claims 1 and 6 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Miyashita et al. and Rhie et al. This ground for rejection is respectfully traversed. In particular, neither Miyashita et al., Rhie et al. nor their combination disclose or suggest,

- (a) storing text files in a database at the remote location;
- (b) converting, at the remote location, the text files stored in step (a) into speech files and storing the converted speech files;

as required by claim 1.

Miyashita et al. disclose a terminal device that receives text as electronic mail, converts the text to speech and outputs the converted speech to a telephone device. (See col. 16, lines 30 et seq.) Miyashita et al. do not store converted speech files or enable the user to extract portions of converted speech files. Rather, Miyashita et al. store text data, convert the text data to speech and provide the converted speech to the telephone 6 as it is converted. In the Office Action, it is asserted that Rhie et al. disclose storing converted audio text files. Applicants respectfully disagree with this assertion. Rhie et al., like Miyashita et al. do not store text files but convert text files to speech using a Voice Data Management Subsystem (Voice DMS) and a text-to-speech subsystem. "The Voice DMS contains pre-recorded texts or text strings." These "texts or text-strings," however, do not represent the text *files* but only commonly used words or phrases from the text files. (See col. 5, lines 52-53). These prerecorded texts or text strings can not meet the limitations of claim 1 because they are not "converted at the remote location." Instead, as disclosed by Rhie et al., they are "prerecorded."

Rhie et al. also provide for a text-to-speech engine to convert texts or text strings that are not in the database to speech. (See col. 4, lines 10-13). Thus, Rhie et al., like Miyashita et al. converts the text files "on the fly" and transmits the converted text files to the caller in voice format. The voice data that Rhie et al. store are "pre-recorded texts" that are used by a text-to-voice conversion engine that includes both the Voice DMS and the text-to-speech subsystem. This data does not represent the text files that may be retrieved by the user as required by claim 1. If the data in the Voice DMS represented text that could be requested by

MATP-617US

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

the user then there would be no need for the text-to-speech subsystem which generates digitally encoded voice patterns for the strings that are not in the database.

Because Miyashita et al. and Rhie et al. do not disclose or suggest these limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al. and Rhie et al. Claim 6 depends from claim 1 and is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al. and Rhie et al. for at least the same reasons as claim 1.

Claims 2-4, 11, 13 and 14 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Miyashita et al., Rhie et al. and Hong et al. This ground for rejection is traversed for the same reasons as set forth above with respect to the rejection of claim 1. In particular, neither Miyashita et al., Rhie et al., Hong et al., nor their combination disclose or suggest converting text files to speech files at the remote location, and storing the converted speech files so that they may be requested by a user, extracting a portion of the speech files in response to a request and transmitting the extracted portion to the information appliance. Miyashita et al. and Rhie et al. are described above. Hong et al. includes an electronic program device which allows a user to watch a program image as well as a character guide. In Hong et al., the programming guide text may be applied to a voice synthesizer to be reproduced using speakers. (Col. 7, lines 1-16). Hong et al. however, do not store any speech files at a remote location after they are synthesized. Hong et al. only stores the text information from the electronic programming guide. Because neither Miyashita et al., Rhie et al., Hong et al. nor their combination disclose or suggest the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Hong et al. Claims 2-4 depend from claim 1. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al. Rhie et al. and Hong et al. for at least the same reasons as claim 1.

With regard to claim 11, claim 11, while not identical to claim 1, includes features similar to those set forth above with regard to claim 1. Claim 11 requires that the EPG text data be converted into audio data and stored at the server. As set forth above, Rhie et al. do not disclose or suggest storing speech files, only storing spoken words and phrases to aid in the conversion process. In addition, these individual words and phrases are "prerecorded." It would not be very useful in an EPG environment for the EPG information to rely on "prerecorded" speech as current information is needed. Thus, claim 11 is also not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Hong et al. for at

Page 9 of 14

MATP-617US

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

least the same reasons as those set forth above with regard to claim 1. Claims 13-14 depend from claim 11. Thus, claims 13-14 are also not subject to rejection under 35 U.S.C. § 103(a) for at least the same reasons as those set forth above with regard to claim 1.

Claim 5 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Miyashita et al., Rhie et al. and Oh. This ground for rejection is respectfully traversed. In particular, neither Miyashita et al., Rhie et al., Oh, nor their combination disclose or suggest converting text files to speech files at a remote location, storing the converted speech files and extracting and transmitting requested portions of the speech files to the information appliance. Miyashita et al. and Rhie et al. are described above. In Oh, a multiple language text to speech processing apparatus is used to convert multiple language text into audio wave data. (see Col. 1, line 55 - Col. 2, line 5) Oh does not suggest storing the converted speech files at a remote location or extracting and transmitting requested portions of the speech files to an information appliance. Because neither Miyashita et al., Rhie et al., Oh nor their combination disclose or suggest the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Oh. Claim 5 depends from claim 1. Accordingly, claim 5 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Oh for at least the same reasons as claim 1.

Claims 7 and 10 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Miyashita et al., Rhie et al. and Lumelsky. With respect to claim 7, this ground for rejection is overcome by the cancellation of that claim. With respect to claim 10, this ground for rejection is respectfully traversed. In particular, neither Miyashita et al., Rhie et al., Lumelsky nor their combination disclose or suggest converting text files to speech files at a remote location, storing the converted speech files or extracting and transmitting requested portions of the stored speech files to an information appliance. Miyashita et al. and Rhie et al. are described above. Lumelsky describes a system that uses a Text-to-Speech (TTS) system to convert text into a string of phonemes. (See col. 8, lines 60-63). The string of phonemes is further enhanced with prosody parameters to form a composite encoded speech (CES) signal. (See col. 9, lines 7-9). The CES files are stored at the server and may be requested by a user. The requested CES file is transmitted to a user terminal 301 which includes a system memory that holds the CES file. The user terminal processes the CES file "using one or more recorded allophone dictionaries 315," to synthesize the voice. (See col. 10, lines 53-61). Thus, Lumelsky does not disclose or suggest that the text is converted to speech files at the remote location. The CES files are not

MATP-617US

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

speech files but encoded files that represent speech. This can be seen because the CES files can not be presented through audio speakers, as required by claim 1 but must first be processed by one or more allophone dictionaries to convert them to speech. In other words, the CES files are partially converted speech files. They are not, however, speech files as required by claim 1. Because neither Miyashita et al., Rhie et al., Lumelsky nor their combination disclose the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie, et al. and Lumelsky. Claim 10 depends from claim 1. Accordingly, claim 10 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al. Rhie et al. and Lumelsky for at least the same reasons as claim 1.

Claim 8 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Miyashita et al., Rhie et al. and Houser et al. This ground for rejection is respectfully traversed. In particular, neither Miyashita et al., Rhie et al., Houser et al, nor their combination disclose or suggest converting text files to speech files at a remote location, or extracting and transmitting requested portions of the stored speech files to an information appliance. Miyashita et al. and Rhie et al. are described above. Houser et al. uses a speech recognition system at a terminal unit for implementing spoken control of devices. Utterances are received from a user and processed to implement tasks at the terminal unit. (see Col. 23, lines 38-50) The invention in Houser et al. does not convert text to speech files. Instead, it converts speech to text. Thus Houser can not disclose or suggest the conversion and storage of text files to speech files as required by amended claim 1. Because neither Miyashita et al., Rhie et al., Houser et al. nor their combination disclose the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Houser et al. Claim 8 depends from claim 1. Accordingly, claim 8 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Houser et al. for at least the same reasons as claim 1.

Claim 9 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Miyashita et al., Rhie et al., and Cannon et al. This ground for rejection is respectfully traversed. In particular, neither Miyashita et al., Rhie et al., Cannon et al., nor their combination disclose or suggest converting text files to speech files at a remote location, storing the speech files at or extracting and transmitting requested portions of the speech files to an information appliance. Miyashita et al. and Rhie et al. are described above. The invention in Cannon et al. allows a user to program a VCR when away from the house via a telephone which has been adapted for programming the VCR. (see Col. 3, lines 20-40) Cannon et al. do not disclose or suggest

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

MATP-617US

storing converted speech files or extracting, from memory, requested portions of the speech files. Because neither Miyashita et al., Rhie et al., nor Cannon et al. disclose the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Cannon et al. Claim 9 depends from claim 1. Accordingly, claim 9 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al. and Cannon et al. for at least the same reasons as claim 1.

Claim 12 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Miyashita et al., Rhie et al., Hong et al. and Houser et al. This ground for rejection is respectfully traversed. In particular, as set forth above, neither Miyashita et al., Rhie et al., Hong et al., Houser et al. nor their combination disclose or suggest converting text files to speech files at the remote location, storing the speech files or extracting and transmitting requested portions of the speech files to an information appliance. Because neither Miyashita et al., Rhie et al., Hong et al., Houser et al. nor their combination disclose the limitations of claim 11, claim 11 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al., Hong et al., and Houser et al. Claim 12 depends from claim 11. Accordingly, claim 12 is not subject to rejection under 35 U.S.C. § 103(a) in view of Miyashita et al., Rhie et al., Hong et al., and Houser et al. for at least the same reasons as claim 11.

Claim 15 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Lumelsky and Houser et al. This ground for rejection is overcome by the amendment to claim 15. In particular, Neither Lumelsky nor Houser et al. disclose or suggest, "a processor coupled to the modem for (a) communicating on the network, (b) periodically receiving speech files from the network, and (c) storing the speech files in the memory device," Basis for this amendment may be found in paragraph [0041]. Both Lumelsky and Houser et al. are described above. As described, Lumelsky provides CES files to the user at the user terminal only when the user requests them. Also, Houser et al. concerns a system which converts speech into commands for a device. It does not disclose or suggest providing data files to a remote terminal on a periodic basis. Because neither Lumelsky nor Houser et al. disclose or suggest these features of claim 15, claim 15 is not subject to rejection under 35 U.S.C. § 103(a) in view of Lumelsky and Houser et al.

Claims 16-19 and 21 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Lumelsky, Hong et al. and Houser et al. This ground for rejection is overcome by the amendment to claim 15. In particular, Neither Lumelsky, Hong et al., Houser et al. nor their

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005


MATP-617US

combination disclose or suggest the a processor coupled to a network through a modem which periodically receives speech files from the network. Because neither Lumelsky, Hong et al., Houser et al nor their combination disclose the limitations of claim 15, claim 15 is not subject to rejection under 35 U.S.C. § 103(a) in view of Hong et al. and Houser et al. Claims 16-19 and 21 depend from claim 15. Accordingly, claims 16-19 and 21 are not subject to rejection under 35 U.S.C. § 103(a) in view of Lumelsky, Hong et al. and Houser et al. for at least the same reasons as claim 15.

Claim 20 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Lumelsky, Hong et al., Houser et al. and Oh. This ground for rejection is overcome by the amendments to claim 15. Neither. Lumelsky, Hong et al., Houser et al, Oh nor their combination disclose or suggest the limitations of claim 15 described above. Because neither Lumelsky, Hong et al., Houser et al., Oh, nor their combination disclose the limitations of claim 15, claim 15 is not subject to rejection under 35 U.S.C. § 103(a) in view of Hong et al., Houser et al. and Oh. Claim 20 depends from claim 15. Accordingly, claim 20 not subject to rejection under 35 U.S.C. § 103(a) in view of Hong et al., Houser et al. and Oh for at least the same reasons as claim 15.

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1-6, and 8-21.

Respectfully submitted,



Kenneth N. Nigon, Reg. No. 31,549
Attorney for Applicants

KNN/jal

Dated: September 23, 2005

Appln. No.: 09/997,391
Amendment Dated September 23, 2005
Reply to Office Action of June 24, 2005

MATP-617US

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Commissioner for Patents is hereby
authorized to charge payment to Deposit
Account No. 18-0350 of any fees associated
with this communication.

I hereby certify that this correspondence is being filed via
Facsimile Transmission to Facsimile No. 1-571-273-8300.
addressed to: Mail Stop Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
September 23, 2005

Juli A. Lawrence

